

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : NOTICE OF MOTION
 : (S5) 10 Cr. 863 (AKH)
-against- :
 :
JOE FERNANDEZ, et al., :
 :
Defendants. :

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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law with attached exhibits in support thereof, defendant Joe Fernandez (“defendant”) will move this Court on October 7, 2014, at 11:00 a.m., for an Order, pursuant to Rule 33(b) of the Federal Rules of Criminal Procedure, granting the defendant a new trial based upon newly discovered evidence and for interim relief as set forth in the accompanying Memorandum of Law and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
October 3, 2014

s/ Robert W. Ray

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To: Honorable Alvin K. Hellerstein
United States District Judge
(By ECF)

AUSA Todd Blanche
(By E-Mail)

Joe Fernandez (91773-054)
(By Mail to MCC)